

## **REMARKS**

### **Summary**

Claims 37-45, 47-54 and 56-66 are currently pending in the present application with Claims 37, 65 and 66 being independent claims and Claims 38-45, 47-54 and 56-64 being dependent claims. Claims 37, 65 and 66 have been amended without adding new matter. Upon entry of the foregoing amendment, Applicants respectfully request reconsideration of the currently pending claims in view of the amendments above and the remarks below.

### **Rejections Under 35 U.S.C. § 103**

Claims 37-45, 47-54, and 56-66 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kato et al. (U.S. Patent No. 6,016,362) (hereinafter, “Kato et al.”), and further in view of Fujita et al. (U.S. Patent No. 6,321,024) (hereinafter, “Fujita et al.”).

Claim 37 is directed to an image processing apparatus. The image processing apparatus of Claim 37 includes: “a trimming area determination unit adapted to determine trimming areas of a first image and a second image from continuous plural images having a specific order; a trimming area calculation unit adapted to calculate a trimming area based on positions and/or sizes of the trimming areas of the first image and the second image determined by the trimming area determination unit, with respect to each image of which order is between the first image and the second image among the continuous plural images, wherein positions and/or sizes of the trimming area of each image of which order is between the first image and the second image are different from the positions and/or sizes of the trimming areas of the first image and the second image determined by the trimming area determination unit, the trimming area of each image of which order is between the first image and the second image being a part of an entire area in which each image is recorded; and a generating unit adapted to generate continuous images by using images cut out with the trimming area determined by the trimming area determination unit and images

cut out with the trimming area calculated by the trimming area calculation unit.”  
(emphasis added)

In the invention of Claim 37, the trimming area is determined for two images from among continuous plural images and the trimming areas for the remaining images between these two images are calculated so as to gradually change between the two determined trimming areas. More specifically, as shown in Fig. 13, the trimming areas for the images between the two images (n-TH image in Fig. 13) are calculated so as to gradually change from one of the trimming areas (a cut out area of 1st in Fig. 13) determined by the trimming area determination means to the other of the trimming areas (a cut out area of N-TH in Fig. 13). The trimming area of each of the images between the two images is a part of an entire area in which each image is recorded. By this structure, even if the continuous plural images have less motion, it becomes possible to generate continuous still images having pseudo motion such as pan/tilt/zoom effects with an interesting effect.

As noted in the Office Action, the Kato et al. reference does not teach “wherein positions and/or sizes of the trimming area of each image of which order is between the first image and the second image is different from position and/or sizes of the trimming areas of the first image and the second image determined by the trimming area determination unit.”

The Office Action alleges that the Fujita et al. reference cures the deficiencies in the Kato et al. reference. Applicants respectfully disagree,

The Fujita et al. reference discloses a method for detecting change points of video images. In this method, the change points of “a video cut” which is a group of continuous frames are detected based on a feature of the frames of video image displayed on a screen. As shown in the diagram of Fig. 1, the Fujita et al. reference discloses that when a user sets a mark on a frame 201, a frame 205 which is the first change point when video images are searched backward and a frame 207 which is the first change point when the video images are searched forward are detected, and the group of continuous frames included in “a continuous video image section” between the frame 205 and the frame 207 is

regarded as one “video cut” 208. However, the Fujita et al. reference does not teach or suggest determining or calculating a trimming area of each frame image which is a part of an entire area in which an image is recorded. That is, the trimming area which is a part of the entire area of the frame 201 in Fig. 1 does not exist. As explained above, the Fujita et al. reference does not teach or suggest the trimming area calculation unit of Claim 37.

The Kato et al. reference and the Fujita et al. reference, taken either alone or in combination, do not teach or suggest, *inter alia*, the trimming area calculation unit of Claim 37. Any combination of the Kato et al. reference and the Fujita et al. reference cannot attain the effect of Claim 37 that even if continuous plural images have less motion, it becomes possible to generate continuous still images having pseudo motion such as pan/tilt/zoom effects with an interesting effect. The Kato et al. and Fujita et al. references do not render Claim 37 obvious. Claim 37 is believed allowable. As such, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 37.

Independent Claims 65 and 66 include similar limitations to Claim 37 and are believed allowable for at least the same reasons as Claim 37. Accordingly, Claims 65 and 66 are believed allowable and Applicants request reconsideration and withdrawal of the rejections of Claims 65 and 66.

The remaining claims (i.e., Claims 38-45, 47-54 and 56-64) are dependent claims. As discussed above, all of the independent claims are believed allowable. Therefore, the dependent claims are also believed allowable because they depend from an allowable base claim. Furthermore, each dependent claim is also deemed to define an additional aspect of the invention, and individual consideration of each on its own merits is respectfully requested.

**All of the Pending Claims are Allowable**

As described above, the cited references, taken either alone or in combination, do not teach or suggest all of the features of any of the claims in the present application. The cited references do not render the claims obvious. Furthermore, all of the amendments to the claims are supported by the

specification and no new matter has been added. For example, see Step S216 of fig. 5B, Figs. 13A and 13B, and paragraphs [0073] - [0078] of the specification.

### **CONCLUSION**

Applicants respectfully submit that all of the claims pending in the application meet the requirements for patentability and respectfully request that the Examiner indicate the allowance of such claims.

Any amendments to the claims which have been made in this response which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is required, please charge Deposit Account Number 502456.

Should the Examiner have any questions, the Examiner may contact Applicants' representative at the telephone number below.

Respectfully submitted,

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/Marlene Klein/

Date

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